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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

Case Number: Redacted by Examiner Palabrica

For: METHOD TO CONTROL REACTIONS
INVOLVING ISOTOPIC FUEL
WITHIN A MATERIAL USING
ORTHOGONAL ELECTRIC-FIELDS

Group Art Unit: 3641

Serial no. 09/ 748,691

Examiner: Palabrica, R.J.

Filed: 12/26/2000

This is a division of Serial no. 07/ 760,970

August 29, 2011

Filed: 09/17/1991

**DECLARATION OF DR. MITCHELL SWARTZ
SUPPORTING MOTION**

I, Mitchell R. Swartz, declare that I am a citizen of the United States of America and the inventor of the invention described in the above-entitled application.

1. I have a background in electrical engineering, material science, electrochemistry, nuclear physics, and medicine. I have worked in these fields for almost forty years, and have worked on medical and scientific experimental projects at the Massachusetts Institute of Technology, Massachusetts General Hospital, Harvard Medical School, and elsewhere.

2. I have received a Communication from the Office [Exhibit "A"] dated August 23, 2011.

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3. The Office Communication wrongly suggests that the Forms 1440 and peer-reviewed references were only sent "in the 3/28/03 Amendment after final".

4. In fact, Forms 1440 and peer-reviewed references were submitted November 4, 2002. I included a postal card for the date stamp from the mail room of the U.S. patent office -- which they stamped and returned to me (Exhibit "B").

5. There is the appearance of impropriety by the USPTO. This is another attempt to functionally eliminate or remove the Declarations and peer-reviewed publications, including those published by the American Nuclear Society, which I have timely-submitted.

Respectfully,

August 29, 2011



Mitchell Swartz, ScD, MD, EE
Weston, MA

I declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor:

August 29, 2011



M Swartz, ScD, MD, EE